

# **Proposed Amendment To The Kentucky Constitution**

**November 6, 2012**

## **Personal Right To Hunt And Fish**

On November 6, 2012, Kentucky's voters will be asked whether to amend the state Constitution to specifically provide citizens of Kentucky with the personal right to hunt, fish, and harvest wildlife.

The following question will appear on the ballot.

### **Constitutional Amendment**

**Are you in favor of amending the Kentucky Constitution to state that the citizens of Kentucky have the personal right to hunt, fish, and harvest wildlife, subject to laws and regulations that promote conservation and preserve the future of hunting and fishing, and to state that public hunting and fishing shall be a preferred means of managing and controlling wildlife?**

### **Constitutional Changes Proposed By The Amendment**

The proposed amendment would add a new section to the Constitution of Kentucky that would specifically provide Kentucky citizens the personal right to hunt, fish, and harvest wildlife, using traditional methods, subject only to laws enacted by the legislature and to administrative regulations that promote wildlife conservation and management and that preserve the future of hunting and fishing. The proposed amendment also would designate public hunting and fishing as the preferred means of managing and controlling wildlife. The proposed amendment would not change any law relating to trespass, property rights, or the regulation of commercial activities.

### **Effective Date**

If the proposed amendment is approved by the voters on November 6, it will take effect immediately.

### **Brief History**

Hunting and fishing were so integral to the survival of many of the country's founders that the freedom to pursue these activities was likely presumed. Consequently, Vermont is believed to be the only state to have included a constitutional protection for hunting and fishing in its original state constitution adopted in 1777. However, years of unregulated hunting and fishing led to wildlife protection and conservation laws. Kentucky established what was to become the Department of Fish and Wildlife Resources in 1912. Its primary duty is to protect and conserve wildlife to ensure a permanent supply of wildlife resources for sport and recreation.

In more recent years, proponents of hunting and fishing have come to believe that a threat to hunting and fishing exists, primarily from groups proposing limits or outright bans on taking certain animals or fish, and that state laws do not adequately preserve the historical right to hunt and fish. Since 1996, 12 states have joined Vermont in providing in their state constitutions the right to hunt and fish. These states are Alabama, Arkansas, Georgia, Louisiana, Minnesota, Montana, North Dakota, Oklahoma, South Carolina, Tennessee, Virginia, and Wisconsin. Arizona is the only state where voters have considered but rejected a similar constitutional amendment proposal.

This year, voters in Kentucky will join voters in Idaho, Nebraska, and Wyoming in voting on the question of whether a right to hunt and fish should be added to their state constitutions.

## Where To Vote

Contact your County Clerk to find out where you go to cast your vote. Polling places are located throughout your community. Where you cast your vote is determined by the address of your place of residence.

**On the Ballot  
November 6, 2012**

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